
NO. 23396

IN THE SUPREME COURT OF THE STATE OF HAWAII

NORMAN K. MACOMBER, SR., Appellant-Appellant,

vs.

HAWAIIAN HOMES COMMISSION, Appellee-Appellee.

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NO. 99-10)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Appellant-appellant Norman K. Macomber, Sr. appeals from the April 3, 2000 judgment of the Circuit Court of the Third Circuit, the Honorable Riki May Amano presiding, that affirmed the December 9, 1998 Findings of Fact, Conclusions of Law, Decision, and Order of appellee-appellee Hawaiian Homes Commission regarding Macomber's lease violation. On appeal, Macomber contends that Hawai'i state law does not apply on Hawaiian home lands and that, therefore, Hawaii's state agencies and courts do not have subject matter jurisdiction over his alleged violation of the terms of his lease.

Upon carefully reviewing the record and the briefs submitted by the parties and having given due consideration to the issues raised and the arguments presented, we hold that the circuit court properly exercised jurisdiction over Macomber, see State v. Jim, 80 Hawai'i 168, 170-71, 907 P.2d 754, 756-57

(1995), and correctly affirmed the December 9, 1998 decision of the Hawaiian Homes Commission. Therefore,

IT IS HEREBY ORDERED that the April 3, 2000 judgment of the circuit court, entered in favor of the Hawaiian Homes Commission, is affirmed.

DATED: Honolulu, Hawai'i, September 2, 2003.

On the briefs:

Norman K. Macomber, Sr.,
appellant-appellant,
appearing pro se

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Kaeo, Jr., and Clayton Lee
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General, for appellee-appellee